

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

CHRISTOPHER BOONE,	:	
	:	
Petitioner,	:	
	:	
v.	:	1:05-CV-167 (WLS)
	:	
KEVIN ROBERTS, Warden,	:	
	:	
Respondent.	:	28 U.S.C. § 2254
_____	:	

ORDER

Before the Court is a Report and Recommendation from United States Magistrate Judge Richard L. Hodge (Doc. No. 6), filed May 16, 2006. It is recommended that Petitioner's request to dismiss without prejudice his petition for habeas relief pursuant to 28 U.S.C. § 2254 (Doc. No. 5) be granted. The Respondent has not filed an objection.

Upon full consideration of the record, the Court finds that said Recommendation should be and hereby is, **ACCEPTED, ADOPTED** and made the order of this Court for reason of the findings and reasons set out therein. Accordingly, Petitioner's Motion to dismiss his petition for habeas relief pursuant to 28 U.S.C. § 2254 without prejudice is **GRANTED**.

SO ORDERED, this 19th day of October, 2006.

/s/W. Louis Sands
W. Louis Sands, Judge
United States District Court